

To the KINGS most Excellent Majesty, in PARLIAMENT.

The Humble Petition of JAMES PERCY.

SHEWETH,

THat this annexed Petition, fairly writ, was presented at the Bar of the Lords House the 10th. Instant.

That your Petitioner is at a vast Charge in keeping his Witneses in Town, waiting for an Order, and a Day appointed, according to the prayer of the said Petition.

He therefore prays, That your Majesty would be graciously pleased to call for the said Petition, and cause it to be Read; and that a short day may be appointed, that a fair Hearing may be had, to find out the Truth, and that Justice may be done accordingly: And let it not be said in England, that the Innocent are punished, and the Guilty go free: But call to mind how merciful God hath been, in Restring your Majesty; Even so in pity Restore your poor distressed Subject.

And he shall ever pray, &c.

JAMES PERCY.

This Petition was presented into his Majesties Sacred Hand, the 15th. of December 1680.

To lose such an Opportunity as offered on *Thursday* last, and now to trouble so good a King so oft, doubles your Petitioner's sorrows.

And that which adds to your Petitioner's misery, is, that he cannot dispose of his Witneses, till a positive Order be had; for which he humbly prays.

Note these three following Presidents.

THE Lord of *Newport* begg'd the *Percies* Land of the King, for the Duke of *Monmouth*, when the Duke was in *France*: but at the Duke's return, *Percy* the Claimant waited upon the Duke, to know his pleasure; and told him, That my Solicitor had betrayed me, for the *Percies* Lands were begg'd without the Claimant's consent or knowledge. Then the Duke replied, *Mr. Percy, you shall have a fair Tryal at Law*: And moreover he did promise he would not stand upon Priviledge: but when *Percy* was ready for a Tryal, then Trump't up Priviledge. And *Mr. Ross* the Duke's Agent said, the Duke could not set aside his Priviledge: But the Duke said, if *Percy* proves himself Heir, I have no Right; and forthwith sold his Interest for an inconsiderable Sum of Money.

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II. The Lord *Ogle*, that married the Lady *Elizabeth Percy*, would have assumed the name of *Percy*; and put in a Bill to be made an Act to settle the Lands upon him by Act of Parliament.

III. And it is reported that the Lord of *Essex* desired that some of those Lands might be settled upon him by Act of Parliament.

By this account the Lands are yet unsettled: *Ergo* then great reason it is, that the true Heir-Male of the *Percies* Bill should be made an Act of Parliament, to settle the Name, Title and Estate together again, according to the first settlement confirmed by his Ancestors.

Now your poor distressed and oppressed Petitioner humbly and freely offers, for the obtaining of Justice, and for the full satisfaction to the Kings most Excellent Majesty, and the Right Honourable Lords Spiritual and Temporal, and those Honourable and Worthy Members of the House of Commons in Parliament assembled, (if it be required and thought convenient, he being very unwilling to offer any thing that might give the least offence, but rather submit to their grave and mature Wisdoms) these Proposals following.

James Percy the Claimant and Plaintiff, will pay into the hands of any Trustees that shall be appointed to receive the Money in Trust for Mr. *John Copleston's* Costs, provided he likewise lay down the 90 *l.* taken by surprize out of Court before the Tryal was ended.

And Mr. *Utting's* Cost likewise shall be paid, for what Sir *John Copleston* claims; provided likewise that Sir *John Copleston* pay the 10 *l.* down, which he got when he ventured the Breach of Priviledge of Parliament: provided the whole Merits of the Cause may have a fair Hearing and Determination before the Lords: And if the Plaintiff and Claimant *James Percy*, doth not prove himself to be the right true and next Heir-Male in Bloud of the *Percies* of *Northumberland*, then let them take all the Money, and the Plaintiff will freely acquit his Claim for ever, and remain till death a Loyal Subject, and *James Percy*.

Although his Witneses be dispers'd, a Weeks time will bring them to Town again, upon the sight of an Order.

For the Claimant *James Percy* (by Birth) ought to enjoy the Place, Seat and Priviledge of his Ancestors, Earls of *Northumberland*; but now he dares not appear, till an Order be had.

Therefore he most humbly prays, That a fair Hearing may be had, and that a true decision of his just Cause and Claim may be made, according to Justice: so that the Innocent may be preserved, and that the fraudulent practices not just may march off with shame: For Heroick Actions glorifies God, Honours the King, and makes all the people shout for joy.

God hath been pleased to make a true decision himself, which may be a president; for he sent the Claimant from his Mothers Womb with a Crescent into the World, which is Gods Ensign of Truth, and the very Badge belonging to the *Percies* Earls of *Northumberland*. In witness to this Truth, I have set to my Hand and Seal, this 3d. of *January*, 1687.

JAMES PERCY.

